



Appeal Decision

Site visit made on 13 August 2019

by James Taylor BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 September 2019

Appeal Ref: APP/P1133/D/19/3229589

High Lawn, Higher Ringmore Road, Shaldon TQ14 0HG

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Dr & Dr Knight against the decision of Teignbridge District Council.
 - The application Ref 19/00149/FUL, dated 23 January 2019, was refused by notice dated 5 April 2019.
 - The development proposed is described as 'extension and alterations to house, conversion of garage to bedroom accommodation and new double garage'.
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Decision

1. The appeal is allowed and planning permission is granted for the 'extension and alterations to house, conversion of garage to bedroom accommodation and new double garage' at High Lawn, Higher Ringmore Road, Shaldon TQ14 0HG in accordance with the terms of the application, Ref 19/00149/FUL, dated 23 January 2019, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 1710 P001, 1710 P012 B, 1710 P013 B, 1710 P014 B, 1710 P015 B, 1710 P028 A and 1710 P029 B.
 - 3) The privacy screens detailed on the hereby approved plans shall be provided in accordance with the submitted details prior to the terrace and balcony being first brought into use. The privacy screens shall be maintained as such in perpetuity.

Main Issues

2. The main issues in this appeal are:
 - i) The effect on living conditions of Little Thatch having particular regard to overbearing, loss of light and privacy from overlooking.
 - ii) The effect on the character and appearance of the area including the Ringmore Conservation Area and the setting of the Grade II listed building, Little Thatch.

Reasons

Living conditions

3. From my site inspection I was able to observe the separation of the High Lawn to the boundary, the existing boundary treatments, the various levels, and the

separation of Little Thatch from the boundary. I visited both properties and viewed the appeal site from within Little Thatch and its garden.

4. The mass and height of the built form would be increased by the proposal. Whilst High Lawn is elevated above and set back from Little Thatch, the nearest habitable rooms' windows of Little Thatch look out towards its garden with only oblique views towards the appeal site. Only a bathroom window and a partially glazed side door look directly towards the proposal. Moreover, due to the separation between the properties, the relative orientation and the intervening boundary and landscape features, the proposal would cause no significant overbearing or loss of light impact to the living conditions within the habitable rooms of Little Thatch.
5. Furthermore, within the garden of Little Thatch I observed a number of areas for occupants to benefit from the quiet enjoyment of their private rear garden. This included the enclosed and intimate terrace immediately to the rear of the dwelling, as well as the more open spaces at the back of the garden. Again, due to the separation, the relative orientation and the intervening boundary and landscape features, I consider that the proposal would cause no significant overbearing or loss of light impact to the living conditions of Little Thatch's garden.
6. Additionally, I note the neighbours' concerns at Little Thatch regarding their privacy from perceived overlooking and light spill adding to dominance. However, any potential overlooking would be mitigated by the presence of privacy screens as detailed on the submitted drawings and which may be reasonably secured through an appropriately worded condition. Furthermore, the raising of the window on the side gable of High Lawn would result in a reduction in overlooking to Little Thatch and modestly enhance occupant's living conditions with regard to privacy. Light spill from the high-level window would be similar to the existing and as such would not result in any harm.
7. Therefore, on the first main issue and for the reasons set out above, I conclude that the proposal would cause no harm to the living conditions of Little Thatch having particular regard to overbearing, loss of light and privacy from overlooking. The proposal would not conflict with Policies S1 and WE8 of the Teignbridge Local Plan 2013-2033 which amongst other aims seeks to achieve satisfactory living conditions for occupants of existing dwellings. It would also accord with the design objectives of the Framework.

Character and appearance

8. High Lawn is a circa mid-twentieth century chalet bungalow sited in an elevated position and set back from the road behind a high stone wall. The appeal site is a sensitive one being adjacent to the Ringmore Conservation Area (CA) and the Grade II listed Little Thatch (LB). The front boundary wall contributes positively to the character and appearance of the CA and forms part of the setting to the LB. Otherwise the site typifies the twentieth century, ribbon development that has occurred along the lanes of the area.
9. The significance of the CA at this point is the enclosed and intimate feel of the buildings and boundary treatments along the Upper Ringmore Road. This is a narrow rural lane with a number of period properties set along it. These typically, like the adjacent LB, are 2-storey properties with thatched roofs over

rendered walls. All of which contributes to the significance of the CA and setting of the LB.

10. The proposed new double garage would replace an existing single car port. It would be sited adjacent to the stone boundary wall and be nominally greater in height. However due to the difference in levels it would not be visible from the public realm, except for glimpsed views through the vehicular access to the site. Furthermore, it would replace a similarly ancillary, domestic, modern structure with a more contemporary one utilising natural stone and a sedum roof. These materials, when glimpsed, would contribute to the landscape setting of the CA and the surroundings of the LB. The latter being separated from the proposed garage by some distance.
11. The alterations and extensions to High Lawn would change the character and appearance of the dwelling. However, High View is clearly of a twentieth century form and design and does not contribute positively to the character of the area. The form and materials would result in a contemporary appearance to this building and obviate a virtually full width dormer window. This would enhance the appearance of the building over and above the existing. Moreover, whilst it would have a greater scale, for the reasons previously set out, I do not consider that it would appear overbearing to the LB, nor would it appear overbearing within the CA given its set back from the road and siting behind a high stone boundary wall. Similarly, the alterations and extensions at the rear of the property would not be overbearing and from the public realm they would not be visible. Overall, the alterations would appear as a further evolution of the modern ribbon development adjacent to the CA and a LB, causing no harm to these designated heritage assets.
12. Therefore, on the second main issue and for the reasons set out above I conclude that the proposal would cause no harm to the character and appearance of the area including the CA and the setting of the LB. The proposal would not conflict with Policies S1, WE8 and EN5 of the Teignbridge Local Plan 2013-2033 which amongst other aims seeks good design and the protection of heritage assets and local distinctiveness. It would also accord with the design and heritage objectives of the Framework.

Conditions

13. In addition to the standard time limit condition, I have imposed a condition requiring that the development is carried out in accordance with the approved plans. This is in the interest of certainty. Furthermore, in the interests of the living conditions of the occupants at Little Thatch (with particular regard to privacy) I have imposed a condition to require the provision of the detailed privacy screens and their maintenance for such purposes in perpetuity. I note the hereby approved plans adequately detail the external materials to be used in the development and so I find a further condition unnecessary in this case.

Conclusion

14. For the reasons given I conclude that the appeal should be allowed subject to the conditions listed above.

James Taylor

INSPECTOR